



IFW  
**PATENT**

Attorney Docket No.: A-64360-2/TAL/NHT

Attorney File No.: 465840-00087

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* application of:

BUELOW et al.

Serial No. 10/780,321

Filing Date: February 17, 2004

For: *Cytomodulating Lipophilic Peptides  
for Modulating Immune System  
Activity and Inhibiting Inflammation*

Examiner: Not Yet Assigned

Art Unit: 1644

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450:

Dated: August 13, 2004

Signed:   
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**INFORMATION DISCLOSURE STATEMENT  
AND  
STATEMENT OF RELATEDNESS**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/8A. In accordance with 1273 Off. Gaz. Pat. Off. 1, 8/5/2003, no copies of U.S. patents and U.S. published applications are enclosed.

Further, this application is a continuation of the following related U.S. Application – Serial No. 09/028,083, filed February 23, 1998 (now Patent No. 6,696,545 B1), which is a continuation-in-part of the following related U.S. Application – Serial No. 08/838,916, filed

April 11, 1997 (pending), upon which the instant application relies for its priority date. Since copies of these references were provided either by Applicants or the Examiner, in accordance with 37 C.F.R. § 1.98(d), no copies of these references are enclosed.

Further, in satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and as required by M.P.E.P. § 2001.06(b), Applicant notes that the present application is related to the following pending patent application:

1. U.S.S.N. 08/838,916, filed April 11, 1997.

None of the foregoing references are believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

As far as is known to the undersigned, this Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of the national state in an international application, or before the mailing date of a first Office Action on the merits as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required.

Serial No. 10/780,321  
Filing Date: February 17, 2004

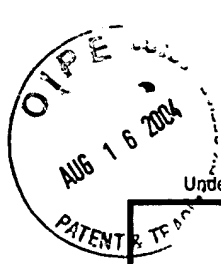
While no fee is believed to be due, if this belief is in error the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 465840-00087 [A-64360-2/TAL/NHT]).

Respectfully submitted,  
DORSEY & WHITNEY LLP

Dated: 8/12/04  
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By:   
Todd A. Lorenz, Reg. No. 39,754

Attachments : Form PTO/SB/8A, Substitute for form 1449  
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/780,321	
			Filing Date	January 27, 2004	
			First Named Inventor	BUELOW, Roland	
			Group Art Unit	Not Yet Assigned	
Examiner Name	Not Yet Assigned				
Attorney Docket Number	A-64360-2/TAL/NHT (465840-00087)				
Sheet	1	of	3		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	5,385,888	01-31-1995	Goodenow et al.	
	A2	5,723,128	03-03-1998	Clayberger et al.	
	A3	5,753,625	05-19-1998	Buelow	
	A4	6,162,434	12-19-2000	Buelow et al.	
	A5	6,696,545 B1	02-24-2004	Buelow et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	B1	WO 88/05784	08-11-1988	Trustees of Stanford University		
	B2	WO 90/10016	09-07-1990	Regents of Univ. of California		
	B3	WO 93/08817	05-13-1993	Trustees of Stanford University		
	B4	WO 93/17699	09-16-1993	Trustees of Stanford University		
	B5	WO 94/02162	02-03-1994	Glycomed, Inc.		
	B6	WO 95/13288	05-18-1995	Trustees of Stanford University		
	B7	WO 96/22306	07-25-1996	No. Sydney Area Health SE		
	B8	WO 96/35443	11-14-1996	Sangstat Medical Corporation		
	B9	WO 97/24140 A1	07-10-1997	Trustees of Stanford University		
	B10	WO 97/44052 A1	11-27-1997	Trustees of Stanford University		
	B11	WO 97/44351 A1	11-27-1997	Trustees of Stanford University		

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	C1	ABRAHAM, R.J., et al., "Charge Calculations in Molecular Mechanics 7: Application to Polar Pi Systems Incorporating Nitro, Cyano, Amino, C=S and Thio Substituents," <i>J. Comput. Aided Molec. Des.</i> 3(2):175-187 (1989).			
	C2	ASHTON, M.J., et al., "New perspectives in lead generation II: Evaluating molecular diversity," <i>Disease Drug Ther.</i> 1(2):71-78 (Feb. 1996).			
	C3	BJORKMAN, P.J., et al., "Structure of the Human Class I Histocompatibility Antigen, HLA-A2," <i>Nature</i> 329(6139):506-512 (Oct. 1987).			
	C4	BLAESE, R.M., et al., "Gene therapy for primary immunodeficiency disease," <i>Immunodef. Rev.</i> 3(4):329-349 (Jan. 1992).			

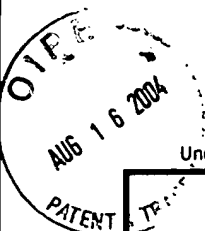
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<b>Substitute for form 1449A/PTO (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/780,321	
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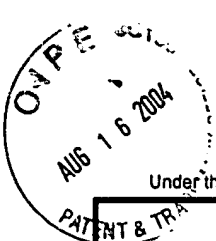
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	C5	BUELOW, R., et al., "Immunomodulation by soluble HLA class I," <i>Transplantation</i> 59:649-654 (Mar. 1995).	
	C6	BUELOW, R., et al., "Prolongation of Skin Allograft Survival in Mice Following Administration of ALLOTRAP," <i>Transplantation</i> 59(4):455-460 (Feb. 1995).	
	C7	CANTONI, L., et al., "Interleukin-1 and tumor necrosis factor induce hepatic haem oxygenase. Feedback regulation by glucocorticoids," <i>Biochem. J.</i> 279(3):891-894 (Nov. 1991).	
	C8	CUTURI, M.C., et al., "Prolongation of allogeneic heart graft survival in rats by administration of a peptide (a.a. 75-84) from the $\alpha$ 1 helix of the first domain of HLA-B7 01," <i>Transplantation</i> 59(5):661-669 (Mar. 1995).	
	C9	DAL PORTO, J., et al., "A soluble divalent class I major histocompatibility complex molecule inhibits alloreactive T cells at nanomolar concentrations," <i>Proc. Natl Acad. Sci. USA</i> 90(14):6671-6675 (Jul. 1993).	
	C10	FUKUDA, Y., et al., "Effect of interleukin-11 on the levels of MRNAs encoding heme oxygenase and haptoglobin in human HepG2 hepatoma cells," <i>Biochem. Biophys. Res. Commun.</i> 193(1):297-302 (1993).	
	C11	GAO, L., et al., "Both L- and D-isomers of allotrap 2702 prolong cardiac allograft survival in mice," <i>J. Heart Lung Transplant.</i> 15(1):78-87 (Jan. 1996).	
	C12	GRASSY, G., et al., "Computer-assisted rational design of immunosuppressive compounds," <i>Nat. Biotechnol.</i> 16(8):748-752 (Aug. 1998).	
	C13	GRASSY, G., et al., "Variable mapping of structure-activity relationships: application to 17-spirolactone derivatives with mineralocorticoid activity," <i>J. Mol. Graphics</i> 13(6):356-367 (Dec. 1995).	
	C14	HAIECH, J., et al., "Use of TSAR as a new tool to analyze the molecular dynamics trajectories of proteins," <i>J. Mol. Graphics</i> 13(1):46-48 (Feb. 1995).	
	C15	IYER, S., et al., "Characterization and biological significance of immunosuppressive peptide D2702.75-84(E->V) binding protein," <i>J. Biol. Chem.</i> 273(5):2692-2697 (Jan. 1998).	
	C16	KABAT, et al., "Sequences of Proteins of Immunological Interest," NIH publication no. 91-3242, 1:738-740, 770-771, 779-780, 788-789, and 802-804 (1991).	
	C17	MANOLIOS, N., et al., "T-cell antigen receptor transmembrane peptides modulate T-cell function and T cell-mediated disease," <i>Nature Med.</i> 3(1):84-88 (Jan. 1997).	
	C18	NGO, et al., "The Protein Folding Problem and Tertiary Structure Prediction," K. Merz, Jr., and S. LeGrand (eds.), Birkhauser: Boston, MA, 491-495 (1994).	
	C19	NISCO, S., et al., "Induction of Allograft Tolerance in Rats by an HLA Class-I-derived Peptide and Cyclosporine A," <i>J. Immunol.</i> 152(8):3786-3792 (Apr. 1994).	
	C20	PRINGLE, J.H., (Direct Submission), NCBI Accession No. A38244 (GI2294842), 14 April 1994.	
	C21	STAGSTED, J., et al., "Regulation of insulin receptor functions by a peptide derived from a major histocompatibility complex class I antigen," <i>Cell</i> 62(2):297-307 (Jul. 1990).	
	C22	TUFVESON, G., et al., "New immunosuppressants: testing and development in animal models and the clinic: with special reference to DSG," <i>Immunol. Rev.</i> 136:99-109 (Dec. 1993).	
	C23	VISWANADHAN, V., et al., "Atomic Physicochemical Parameters for Three Dimensional Structure Directed Quantitative Structure - Activity Relationships. 4. Additional Parameters for Hydrophobic and Dispersive Interactions and Their Application for an Automated Superposition of Certain Naturally Occurring Nucleoside Antibiotics," <i>J. Chem. Inf. Comput. Sci.</i> 29(3):163-171 (1989).	

Examiner Signature	Date Considered
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Approved for use through 10/31/2002. OMB 0651-0031

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	C24	WILLIS, D., et al., "Heme oxygenase: a novel target for the modulation of the inflammatory response," <i>Nat. Med.</i> 2(1):87-90 (Jan. 1996).	
	C25	YASRI, A., et al., "Rational choice of molecular dynamics simulation parameters through the use of the three-dimensional autocorrelation method: application to calmodulin flexibility study," <i>Protein Eng.</i> 9(11):959-976 (Nov. 1996).	

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